

EXHIBIT C

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SCOTT ANDREW WITZKE,

Plaintiff,

CA: 21-11346

-vs-

HON:MATTHEW F. LEITMAN
MAG. DAVID R. GRAND

JORDAN RIECK; IAN HOWARD;
AARON KOWALSKI; CRAIG
WHITE; and ROBERT ALLEN
MCLEAN, in their individual
capacities for monetary damages;
and THE CITY OF MADISON
HEIGHTS, Michigan,

Defendants.

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AFFIDAVIT OF IAN HOWARD

[illegible]

I, Ian Howard, depose and state as follows:

1. This Affidavit is based on my personal knowledge and, if sworn as a witness, I would testify as to the matters hereinafter set forth.

2. I am currently employed as a patrol officer with Plymouth Township.

3. On July 30, 2019, I was employed by the City of Madison Heights, working undercover along with a Special Investigations Unit (“SIU”), surveilling drug activity within the City.

4. Our surveillance of a narcotics trafficking subject, John Doe,¹ brought the SIU from the City of Madison Heights, where it was suspected that Doe was selling drugs, to his home in the City of Lansing.

5. Plaintiff Scott Witzke was observed outside of Doe's Lansing trailer in a black Chevy Malibu, speaking with Doe for a significant period of time inside the vehicle before entering the trailer and eventually returning to the Malibu.

6. Plaintiff then left the residence, getting onto the freeway as several Madison Heights SIU vehicles followed.

7. In the City of Farmington Hills, a Michigan State Trooper arrested

¹ The name “John Doe” is used as Plaintiff served as a confidential informant in an arrest against this individual.

Plaintiff, which I observed from a Madison Heights police vehicle a distance away.

8. I was instructed to go to the Michigan State Police Metro North Post to assist Officer Kowalski with transporting Plaintiff back to the Madison Heights Police Department.

9. It was my understanding that the MSP's Metro North Post facility did not have the ability to house arrestees.

10. Plaintiff was not placed under a separate arrest at the Metro North Post by Officer Kowalski or myself.

11. Officer Kowalski and I took custody of Plaintiff from the Michigan State Police to lodge Plaintiff in the Madison Heights lockup facility.

12. To the best of my knowledge, Plaintiff was not free to leave the MSP Metro North Post at any time prior to our arrival there.

13. I did not book Plaintiff.

14. After arriving at the Madison Heights Police Department, I had no further contact with Plaintiff.

15. I did not participate in any decision pertaining to his arraignment, release, status as a confidential informant or any charge against him.

Further affiant sayeth not.

IAN HOWARD

Subscribed and sworn to before me on
this _____ day of _____, 2023

Notary Public, _____ Co, MI
My Commission Expires: _____